

FLORIDA'S DEPENDENCY BENCHBOOK

BENCHCARD: ANOTHER PLANNED PERMANENT LIVING ARRANGEMENT (APPLA)

The best interest of the child is the primary consideration in determining the permanency goal. The court can approve APPLA if:

- The court finds that a more permanent placement, such as adoption, permanent guardianship, or placement with a fit and willing relative, is not in the best interests of the child;
- The department documents reasons why the placement will endure and how the proposed arrangement will be more stable and secure than ordinary foster care;
- The court finds that the health, safety, and well-being of the child will not be jeopardized by such an arrangement; and
- There are compelling reasons to show that placement in another planned permanent living arrangement is the most appropriate permanency goal. Compelling reasons for such placement may include, but are not limited to:
 - The case of a parent and child who have a significant bond but the parent is unable to care for the child because of an emotional or physical disability, and the child's foster parents have committed to raising him or her to the age of majority and to facilitate visitation with the disabled parent;
 - The case of a child for whom an Indian tribe has identified another planned permanent living arrangement for the child; or
 - The case of a foster child who is 16 years of age or older who chooses to remain in foster care, and the child's foster parents are willing to care for the child until the child reaches 18 years of age.

If APPLA is ordered, judges should ensure that the case worker and the guardian ad litem have listed the services needed for both the youth and the caregiver. The court must continue to review the case at least once every six months.

The following American Bar Association checklist provides some excellent questions that are now being used in permanency staffings and may be appropriate to ask in court.

APPLA CONSIDERATIONS

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Have other permanency options been fully considered?

- Assess permanency options at each judicial review.
- Is a more preferred option possible?

What efforts has the agency made to identify and recruit a permanent placement for the child?

- Has the agency thoroughly searched for relatives?
- Are there any former or current caregivers/foster parents that are willing to commit to the child?
- Have mentors, coaches, teachers, or other persons been explored for permanent placement?
- Assessment and panning of foster parent's commitment to child (nonpermanent long-term arrangements by default).

What are the child's preferences?

- Ongoing discussions with the child regarding placement preferences?
- Input from the child on support systems such as mentors or respite care providers to help cultivate life-long relationships.

What are the compelling reasons why a more preferred placement plan is not being selected?

- Convincing and persuasive reasons why a more preferred permanency option is not being pursued must be documented to the court.

Is the proposed plan actually a "permanent living arrangement?"

- Ask how the proposed arrangement will be more stable and secure than regular foster care.
- Is this a more family-like arrangement for the child?
- Which adults will maintain a continuing close parent-child relationship with the child?

What support structures are being put into place? Are there support structures in place to enhance the stability of the living arrangement such as mentoring or community based programs.

- Involved in one or more extra-curricular activities
- Education support such as tutoring
- Support for family connections/visitations

Does the child have any special needs, and what services is the agency providing?

- Have the mental health or other needs of the child been met such as that a preferred permanency option is now available.

What efforts has the agency made to assess the safety, quality, and stability of the APPLA?

- On-going assessments of the safety, quality, stability, and appropriateness of the placement as child and caregiver factors often change.